

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Kuriacose Joseph et al.	Examiner:	Yogesh Garg
Serial No.:	09/672,523	Group Art Unit:	3625
Filed:	September 27, 2000	Docket No.:	2050.001US3
Customer No.:	44367	Confirmation No.:	2175
Title:	METHOD AND SYSTEM TO FACILITATE ORDERING OF AN ITEM		

PETITION UNDER 37 C.F.R. § 1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To whom it may concern:

Pursuant to 37 C.F.R. §1.183, this Petition is submitted seeking permission to file the above-identified patent application (hereinafter “the application”) without the signature of Ansley Wayne Jessup, a co-inventor of the application, because we are unable to obtain his signature.

This petition is accompanied by the \$400.00 fee set forth in 37 CFR §1.17(f). If additional fees or credits should exist, please charge or credit Deposit Account No. 19-0743 in the appropriate amount.

Statement of Facts

The declaration executed by the co-inventors Kuriacose Joseph, Vincent Dureau, and Alain Delpuch is attached. The co-inventor Ansley Wayne Jessup has refused to sign. All the inventors including Ansley Wayne Jessup have assigned, or are under an obligation to assign their interest in the subject matter of the patent application to the petitioner, OpenTV, Inc. Therefore, OpenTV, Inc. has a sufficient proprietary interest in the subject matter of this application. A copy of the assignment signed by Ansley Wayne Jessup has been attached.

Attempts to obtain a signed Substitute Reissue Declaration from Ansley Wayne Jessup were made via email on October 28, 2011, December 15, 2011, December 21, 2011, and January 18, 2012. A request was sent to Ansley Wayne Jessup to his last known address via FedEx on January 26, 2012, and was received and signed for by A. Jessup on January 27, 2012. Copies of emails and letters sent via Fedex are attached. Ansley Wayne Jessup has not responded to any of our attempts to contact him.

CONCLUSION

The Assignee has been unable to obtain the omitted inventor's signature on a Declaration pursuant to 37 C.F.R. § 1.65 for the above-identified application. Assignee submits that the present Petition is necessary to preserve its rights and to prevent irreparable harm by the loss of valuable patent rights.

Assignee submits that the foregoing facts establish a bona fide attempt to provide a signed Substitute Reissue Declaration.

The Examiner is invited to telephone Applicants' representative at (612) 359-3260 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 278-4052

Date February 20, 2012 By /Elena Dreszer/
Elena B. Dreszer
Reg. No. 55,128